

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Shannon Tyrone Craig,

Civil No. 12-1777 (RHK/JJK)

Plaintiff,

ORDER

v.

Moonraker Apts.,

Defendant.

The above matter comes before the Court upon the October 18, 2012, Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated October 18, 2012. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation and upon all of the files, records and proceedings herein, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 7) is **ADOPTED**;
2. Plaintiff's Motion to be excused from paying an initial partial filing fee (Doc. No. 6) is **GRANTED**;
3. Plaintiff's application for leave to proceed in forma pauperis (Doc. No. 2) is **DENIED**;
4. Plaintiff's Motion for appointment of counsel (Doc. No. 3) is **DENIED**;
5. This action is summarily **DISMISSED** pursuant to 28 U.S.C.

§ 1915(e)(2)(B)(ii);

6. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely the full \$350, in accordance with 28 U.S.C. § 1915(b)(2); and

7. The dismissal of this action is counted as a “strike” against Plaintiff for purposes of 28 U.S.C. § 1915(g).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 3, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge